

103D CONGRESS
1ST SESSION

H. R. 795

To amend the Harmonized Tariff Schedule of the United States to exclude certain footwear assembled in beneficiary countries from duty-free treatment.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 3, 1993

Mr. ROSE (for himself, Mr. SARPALIUS, Mrs. MINK, Mr. HEFNER, Mr. EMERSON, Mr. RAVENEL, Mr. DARDEN, Mr. FORD of Michigan, Mr. GORDON, Mr. RAHALL, Mr. PICKETT, Mr. FROST, Mr. CHAPMAN, Mr. PRICE of North Carolina, Mr. CLAY, Mr. LANCASTER, Mr. QUILLEN, Mr. VOLKMER, Mr. BONIOR, and Mr. GONZALEZ) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Harmonized Tariff Schedule of the United States to exclude certain footwear assembled in beneficiary countries from duty-free treatment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TREATMENT OF FOOTWEAR.**

4 U.S. Note 2 to subchapter II of chapter 98 of the
5 Harmonized Tariff Schedule of the United States is
6 amended—

1 (1) by inserting “footwear not accorded duty-
2 free treatment under paragraph (c),” after “apparel
3 article,”; and

4 (2) by striking out the last sentence and insert-
5 ing the following:

6 “(c)(i) No article of footwear may be treated as a
7 foreign article, or as subject to duty, if—

8 “(A) the requirements of paragraph (b)(i) and
9 (ii) are complied with respect to the article;

10 “(B) the article is produced by an existing foot-
11 wear manufacturer; and

12 “(C) the article is entered on or after January
13 1 of any calendar year after 1992 and before the ag-
14 gregate quantity of footwear produced by that man-
15 ufacturer and entered during that year equals the
16 annual duty-free footwear amount for that manufac-
17 turer.

18 “(ii) For purposes of this paragraph—

19 “(A) the term ‘annual duty-free footwear
20 amount’ for an existing footwear manufacturer
21 means—

22 “(I) for articles of footwear (other than
23 footwear described in subclause (II)) provided
24 for under any subheading classification, an
25 amount equal to the average monthly quantity

1 of footwear provided for under such classifica-
2 tion that was produced during the period Janu-
3 ary 1, 1992, through October 1, 1992, by all
4 existing manufacturing facilities of such manu-
5 facturer for export to the United States, multi-
6 plied by 12; and

7 “(II) for articles of footwear classified
8 under subheadings 6404.11.50, 6404.11.60,
9 6404.19.40, and 6404.19.60 and articles of
10 leather footwear (for women) with synthetic
11 soles classified under the appropriate subhead-
12 ings of heading 6403, an amount equal to the
13 annual production capacity, as of October 1,
14 1992, of all existing manufacturing facilities of
15 the manufacturer for such classifications of
16 footwear, plus any increase in the production
17 capacity for such classifications of footwear that
18 will result from any new footwear manufactur-
19 ing facility construction by the manufacturer in
20 one or more beneficiary countries if such con-
21 struction was in progress on October 1, 1992.

22 “(B) the term ‘existing footwear manufacturer’
23 means a person that established at least 1 existing
24 manufacturing facility; and

1 “(C) the term ‘existing manufacturing facility’
2 means a footwear manufacturing facility that was
3 operating in a beneficiary country on October 1,
4 1992.

5 “(iii) The United States International Trade Com-
6 mission shall—

7 “(A) identify each existing footwear manufac-
8 turer,

9 “(B) identify, if applicable, any new construc-
10 tion described in (ii)(A)(II) by such manufacturer,
11 and

12 “(C) determine the annual duty-free footwear
13 amount for each applicable footwear subheading
14 classification for each such manufacturer,
15 and provide such identification and determination to
16 the Secretary of the Treasury.

17 “(iv) The Secretary of the Treasury shall by regula-
18 tion specify such relevant entry information as may be re-
19 quired for purposes of implementing this paragraph.

20 “(d) For purposes of paragraphs (b) and (c), the
21 term ‘beneficiary country’ means a country listed in gen-
22 eral note 3(c)(v)(A).”.

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